

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, insect parts, and insect excreta; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: February 20, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution, for use as animal feed.

11859. Misbranding of fruit cake. U. S. v. Continental Baking Company. Plea of nolo contendere. Fine, \$800. (F. D. C. No. 22062. Sample Nos. 48062-H, 48789-H to 48791-H, incl.)

INFORMATION FILED: May 2, 1947, District of Colorado, against the Continental Baking Co., a corporation, Denver, Colo.

ALLEGED SHIPMENT: On or about November 21 and December 3, 1946, from the State of Colorado into the States of Nebraska, Wyoming, and New Mexico.

LABEL, IN PART: "Net Wt. 2 lbs. 5 oz. Ye Olde Fruit Cake * * * Distributed by F. W. Woolworth Co., N. Y.," or "Barbara Jane Fruit Cake * * * Net Wt. 5 lbs. Distributed by Sears Roebuck and Co., Chicago, Ill."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents, in that the cartons containing the article contained less than the amount declared on the label.

DISPOSITION: June 3, 1947. A plea of nolo contendere having been entered, the court imposed a fine against the corporation of \$200 on each of the 4 counts of the information.

11860. Adulteration of pies. U. S. v. Anthony Verreos (New Blue Ribbon Pie Co.). Plea of nolo contendere. Sentence suspended and individual placed on probation for 2 years. (F. D. C. No. 22059. Sample Nos. 40575-H, 40577-H to 40579-H, incl.)

INFORMATION FILED: April 24, 1947, Eastern District of Missouri, against Anthony Verreos, trading as the New Blue Ribbon Pie Co., St. Louis, Mo.

ALLEGED SHIPMENT: On or about December 11, 1946, from the State of Missouri into the State of Illinois.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insects, insect fragments, mites, rodent hairs, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 22, 1947. A plea of nolo contendere having been entered, the court suspended the imposition of sentence and placed the defendant on probation for 2 years, conditioned that he immediately discontinue his pie business.

CORN MEAL*

11861. Adulteration of corn meal. U. S. v. Burnside Milling Company, Oscar W. Robinson, and John O. Robinson. Pleas of nolo contendere. Fine of \$1,500 and costs against the company. Sentences of 3 months in jail against Oscar W. Robinson and of 30 days in jail against John O. Robinson were suspended, and each individual was placed on probation for 3 years. (F. D. C. No. 22021. Sample Nos. 53445-H, 53446-H, 53452-H.)

INFORMATION FILED: March 20, 1947, Eastern District of Kentucky, against the Burnside Milling Co., a partnership, Burnside, Ky., and Oscar W. Robinson and John O. Robinson, partners.

ALLEGED SHIPMENT: On or about September 11 and 20, 1946, from the State of Kentucky into the State of Tennessee.

LABEL, IN PART: "Hearty Heart Fresh Ground Bolted Corn Meal."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of rodent excreta fragments, rodent hair fragments, insects, and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

*See also No. 11868.

DISPOSITION: June 9, 1947. Pleas of nolo contendere having been entered, the court imposed a fine of \$500 and costs on each of the 3 counts of the information against the partnership. Sentences of 3 months in jail against Oscar W. Robinson and of 30 days in jail against John O. Robinson were suspended, and the individuals were placed on probation for 3 years.

11862. Adulteration of corn meal. U. S. v. Henry Stanley White (Cadiz Milling Co.). Plea of guilty. Fine, \$750 and costs. (F. D. C. No. 22049. Sample Nos. 53527-H, 53550-H, 53552-H.)

INFORMATION FILED: April 14, 1947, Western District of Kentucky, against Henry Stanley White, trading as the Cadiz Milling Co., Cadiz, Ky.

ALLEGED SHIPMENT: On or about September 17 and October 26, 1946, from the State of Kentucky into the State of Tennessee.

LABEL, IN PART: "Cream Meal Water Ground Cadiz, Ky."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insects, insect fragments, rodent excreta, rodent hair fragments, and sand.

DISPOSITION: April 21, 1947. A plea of guilty having been entered by the defendant, the court imposed a fine of \$250 on each of the 3 counts, a total fine of \$750, plus costs.

11863. Adulteration of corn meal. U. S. v. Pan American Mills. Plea of nolo contendere. Fine, \$450 and costs. (F. D. C. No. 22047. Sample Nos. 53530-H to 53532-H, incl.)

INFORMATION FILED: April 14, 1947, Western District of Kentucky, against Pan American Mills, a corporation, Bowling Green, Ky.

ALLEGED SHIPMENT: On or about September 6 and October 2 and 4, 1946, from the State of Kentucky into the State of Tennessee.

LABEL, IN PART: "Pan American Mills Jersey Cream Meal Bolted Highest Grade."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of rodent excreta.

DISPOSITION: May 20, 1947. A plea of nolo contendere having been entered on behalf of the corporation, the court imposed a fine of \$150 on each of the 3 counts, a total fine of \$450, plus costs.

11864. Adulteration of corn meal. U. S. v. Virgil H. Burchett (Pembroke Roller Mills). Plea of guilty. Fine, \$750 and costs. (F. D. C. No. 22008. Sample Nos. 53266-H, 53524-H, 53526-H, 53528-H.)

INFORMATION FILED: April 24, 1947, Western District of Kentucky, against Virgil H. Burchett, trading as Pembroke Roller Mills, Pembroke, Ky.

ALLEGED SHIPMENT: Between the approximate dates of July 16 and September 17, 1946, from the State of Kentucky into the State of Tennessee.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta, insects, insect fragments, and rodent hair fragments; and, Section 402 (a) (4), (portion of product) it had been prepared under insanitary conditions whereby it may have been contaminated with filth.

DISPOSITION: November 6, 1947. A plea of guilty having been entered on behalf of the defendant, a fine of \$750 and costs was imposed.

11865. Adulteration of corn meal. U. S. v. Shawnee Milling Co. Plea of guilty. Fine, \$1,000. (F. D. C. No. 22024. Sample No. 35576-H.)

INFORMATION FILED: March 19, 1947, Western District of Oklahoma, against the Shawnee Milling Co., a corporation, Shawnee, Okla.

ALLEGED SHIPMENT: On or about August 19, 1946, from the State of Oklahoma into the State of Tennessee.

LABEL, IN PART: "Snowdrift Cream Meal Kiln Dried."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, insect fragments, and rodent excreta fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.